

**REMARKS**

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-24 are pending. Claims 1, 7, 11, and 13 are amended. Claims 1, 7, and 13 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the remarks set forth herein.

**Rejection Under 35 U.S.C. § 103(a)**

Claims 1-24 stand rejected under 35 U.S.C. § 103(b) as being unpatentable over Anderson et al. (U.S. 6,999,637) in view of Matsumoto et al. (U.S. 6,229,566). This rejection is respectfully traversed.

**Amendments to Independent Claims 1, 7, and 13**

While not conceding the appropriateness of the Examiner's rejection, but merely to advance the prosecution of the present application, each of independent claims 1 and 13 has been amended to recite a combination of steps, including *inter alia*

obtaining each of the images according to the desired ones of the recommended composition data sets stored in the digital camera by:

adjusting a direction of the digital camera while viewing the recommended composition image represented by a corresponding one of the desired ones of the recommended composition data sets, thereby causing the desired one of the recommended composition data sets and the image to be obtained to be superimposed

on a display means of the digital camera in a manner that is viewable by a user of the digital camera, and

performing a photographing operation with the digital camera when the image to be obtained is confirmed by the user to be in accordance with the corresponding desired one of the recommended composition data sets; and

storing the image data sets thus obtained in the recording medium of the digital camera.

In addition, independent claim 7 has been amended to recite a combination of elements, including *inter alia*

wherein the digital camera includes:

display means for enabling a user of the digital camera to adjust a direction of the digital camera while viewing the recommended composition image represented by a corresponding one of the desired ones of the recommended composition data sets, thereby causing the desired one of the recommended composition data sets and the image to be obtained to be superimposed on a display means of the digital camera in a manner that is viewable by a user of the digital camera, and

photographing means for enabling the user to perform a photographing operation with the digital camera when the image to be obtained is confirmed by the user to be in accordance with the corresponding desired one of the recommended

composition data sets, wherein the image data sets thus obtained are stored in the recording medium for subsequent reading by the reading means.

On page 3 of the Office Action, the Examiner has rejected independent claims 1, 7, and 13 based on the combination of Anderson et al. and Matsumoto et al. The Examiner concedes that Anderson et al. fail to give any further details as to the operation of the digital camera.

The Examiner then goes on to assert that Matsumoto et al. discloses a digital camera (FIG. 3) including *display means (display 113, FIG. 1)"for displaying a recommended composition image represented by the desired recommended composition data set in superposition on an image represented by the image data obtained by the photographic means (FIG. 9)..."*.

The Applicants respectfully disagree with the Examiner's conclusion.

A careful review of Matsumoto et al. column 8, lines 28-35, column 9, line 56 to column 10, line 58, and FIGS. 1 and 5-9, indicates that display 113 of the storage and display unit 102 merely receives data that has been previously captured by the capturing unit 101 and stored in the storage unit 104 of the camera. FIGS. 5-9 of Matsumoto et al. merely illustrate different view of the display unit 113 including icons 502-506, 601-605, 701, 801, etc. that are used to organize images into albums and to edit images (enlarging, reducing, rotating, trimming, etc.) to be put into albums after the image has been captured.

On the other hand, the present invention as set forth in claims 1 and 13, includes

*“obtaining each of the images according to the desired ones of the recommended composition data sets stored in the digital camera by:*

*adjusting a direction of the digital camera while viewing the recommended composition image represented by a corresponding one of the desired ones of the recommended composition data sets, thereby causing the desired one of the recommended composition data sets and the image to be obtained to be superimposed on a display means of the digital camera in a manner that is viewable by a user of the digital camera, and*

*performing a photographing operation with the digital camera when the image to be obtained is confirmed by the user to be in accordance with the corresponding desired one of the recommended composition data sets; and*

*storing the image data sets thus obtained in the recording medium of the digital camera”.*

Independent apparatus claim 7 sets forth similar subject matter.

In other words, in the present invention as set forth in each of claims 1, 7, and 13, the recommended composition data is first displayed on the display means and viewed by the user, thereby enabling the user to then adjust the camera and to perform a photographing operation to obtain an image in accordance with the corresponding desired one of the recommended composition data sets displayed on the display means. By contrast, even if the capturing unit 101 of Matsumoto et al. is combined with the storage/display 14, the

display means 113 of Matsumoto et al. is merely used for organizing and editing images for albums after they have been captured. The icons on the display means 113 of Matsumoto et al. have nothing to do with obtaining/capturing images with image pick up 103 of the capturing unit 101.

Thus, Matsumoto et al. do not teach or suggest the subject matter set forth in independent claims 1, 7, and 13.

At least for the reasons described above, the Applicants respectfully submit that the combination of features set forth in each of independent claims 1, 7, and 13 is not disclosed or made obvious by the prior art of record, including Anderson et al. and Matsumoto et al. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Therefore, independent claims 1, 7, and 13 and claims dependent thereon are in condition for allowance.

**Dependent Claims**

The Examiner will note that dependent claim 11 has been amended merely to place it in better form. All dependent claims are in condition for allowance due to its dependency from an allowable independent claim, as well as for the additional novel limitations set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

All claims of the present invention are now in condition for allowance.

**CONCLUSION**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 (direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

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Respectfully submitted,

By 

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